

It was alleged in the libels that the article was misbranded in that the following statements appearing on the bottle and carton labels and in the accompanying circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle and carton) "Pyorrhea \* \* \* Used in the Treatment of Pyorrhea;" (circular): "Eminent Mouth Wash No. 1 heals sore gums and sore throat very quickly and is prescribed by the dentists for patients to use while being treated for pyorrhea, trench mouth, or sore gums from any cause. \* \* \* Pyorrhea \* \* \* If you will use this Mouth Wash and Tooth Paste as we recommend you will save your teeth and health by preventing pyorrhea or the formation of pus around the teeth. This pus is readily taken into the blood and causes headaches, rheumatism, kidney and stomach troubles, high blood pressure, heart trouble, eye trouble, etc."

On January 17, 1931, no claimant having appeared for the property, judgments were entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17929. Misbranding of Creo Terpina Wampole. U. S. v. 11 Dozen Bottles of Creo Terpina Wampole. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25367. I. S. No. 5710. S. No. 3629.)**

Examination of samples of a drug product, known as Creo Terpina Wampole, from the herein-described shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On December 2, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 dozen bottles of Creo Terpina Wampole, alleging that the article had been shipped by Yglesias & Co. (Inc.), on or about May 23, 1930, from New York, N. Y., to Porto Rico, and that it was being sold and offered for sale in Porto Rico by the Drug Co. of Porto Rico (Inc.), San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of creosote, terpin hydrate, glycerophosphates, a trace of chloroform, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular accompanying the article) "Bronchial and Pulmonary conditions \* \* \* In asthma, whooping cough and all coughs of a spasmodic nature, and in acute catarrhal inflammations of the respiratory tract, influenza, hay fever \* \* \* relieves spasm and pain, reduces fever, soothes the irritated mucous membrane and restores tone to the affected part. In phthisis, acute or chronic bronchitis, and the bronchial catarrh of the aged, this preparation checks the distressing cough and renders the secretions less tenacious. The administration of \* \* \* in tubercular pleurisy is followed by the gradual disappearance of the effusion, fever and other symptoms. \* \* \* by virtue of its stimulant and tonic properties due to the glycerophosphates, of calcium and sodium, which it contains \* \* \* increases the weight, strengthens the patient and restores his energy."

On January 26, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17930. Adulteration and misbranding of Extract of Cod Liver Wampole. U. S. v. 72 Bottles of Extract of Cod Liver Wampole. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25554. I. S. No. 5726. S. No. 3825.)**

Examination of samples of a drug product, known as Extract of Cod Liver Wampole, having shown that it was devoid of the characteristic vitamins of cod-liver oil, and that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture re-